

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-13 are presently active in this case.

The outstanding Office Action rejected Claims 1-3, 5-8, and 10-11 under 35 U.S.C. § 103(a) as unpatentable over Jones et al. (Canadian Patent Application, CA 2,321,462, hereinafter “Jones”) in view of Fingerman et al. (U.S. Patent No. 7,143,430, hereinafter “Fingerman”), in view of Yoshimine et al. (U.S. Patent No. 6,963,898, hereinafter “Yoshimine”), and in view of Hasegawa et al. (U.S. Pat. Appl. Publ. No. 2004/0015992). Claim 4 was rejected under 35 U.S.C. § 103(a) as unpatentable over Jones in view of Fingerman and Yoshimine, and Hasegawa et al. in further view of Perlman (U.S. Patent Application Publication No. 2002/0184637.) Claim 9 was rejected under 35 U.S.C. § 103(a) as unpatentable over Jones in view of Fingerman and Yoshimine and Hasegawa et al. in further view of Ellis et al. (U.S. Patent Application Publication No. 2003/0149988, hereinafter “Ellis”). Claim 12 was rejected under 35 U.S.C. § 103(a) as unpatentable over Jones in view of Fingerman and Yoshimine, and Hasegawa et al. in further view of Slotznick (U.S. Patent No. 7,058,356.) Claim 13 was rejected under 35 U.S.C. § 103(a) as unpatentable over Jones in view of Fingerman and Yoshimine, and Hasegawa et al. in further view of Mensch (U.S. Patent Application Publication No. 2002/0133824).

Independent Claim 1 is directed to a system for recording and playback of television signals from a plurality of television channels. The system includes, *inter alia*: a storage unit, an instruction unit connected to the controlling central unit, configured to receive and store recording instructions from users via the telecommunication network, the recording instructions including a user identification of a mobile terminal, a channel number, and recording timing, and configured to instruct the controlling central unit to select and store the

television signals in the digital format on the storage unit based on the recording instructions including information on a television channel specified by the channel number and the recording timing, and configured to assign the user identification to the selected television signals and to store the user identification together with the television signals on the storage unit.

The features of Applicants' Claim 1 allow storage of the content that has been requested by a user in a centralized manner, assigned to particular user identification information for retrieval by the user. The user can thereby access the content from any device, by using his own user identification information. For example, the user may decide to record a particular TV show, that he can later access from his Personal Digital Assistant (PDA) or his PC, instead of his regular TV at home. In such a case, the user identification information can be shared among several terminals, for example the above-mentioned PDA and PC. In addition, because all the stored content is associated with a user identification information, abuse and unauthorized access can be prevented.

In other words, the claimed system makes possible a specific storing of recorded content and makes it possible to access this content from any device being provided with the user identification which is used for storing the content on the central unit in a way assigned to the user. Therefore, a user can decide to record some particular program and then access it from any one of his devices (i.e., his mobile phone or his office PC), instead of his "normal" television receiver.

Furthermore, abuse of the system and unauthorized access to stored content can easily be prevented as all data are stored in a way assigned to this user identification. An additional application of codes or certificates can enhance safety and prevent misuse of personal data.

The discussion above is provided for explanatory purposes only, and is not provided to limit the scope of the claims in any fashion.

The Office Action acknowledges on page 3 the deficiencies in Jones with regard to the claimed element of:

an instruction unit connected to the controlling central unit, configured to receive and store recording instructions from users via the telecommunication network, the recording instructions including a user identification of a mobile terminal, a channel number, and recording timing, and configured to instruct the controlling central unit to select and store the television signals in the digital format on the storage unit based on the recording instructions including information on a television channel specified by the channel number and the recording timing, and configured to assign the user identification to the selected television signals and to store the user identification together with the television signals on the storage unit

The Office Action thereafter states on pages 4 and 5 that:

Hasegawa et al. teaches a system for recording broadcast program material at the request of a user and using storage units to store programming material together with the ID of the user who has made the reservation (see [55]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the multimedia system, as taught by Jones, by providing storage units and storing programming together with user ID's, as taught by Hasegawa et al., in order to provide an alternate shared means of recording content and keeping track of which recording belongs to which user (see [1, 6-7]).

Thus, Applicants and the Examiner agree that the Jones reference does not disclose storing recorded data in a way assigned to a particular user identification.

However, Applicants submit that the new reference to Hasegawa et al merely relates to a shared system for receiving and recording broadcast programs and delivering them to user devices via a **local area network**. M.P.E.P. § 2141.01(a) states:

The examiner must determine what is "analogous prior art" for the purpose of analyzing the obviousness of the subject matter at issue. "Under the correct analysis, any need or problem known in the field of endeavor at the time of the invention and addressed by the patent [or application at issue] can provide a reason for combining the elements in the manner claimed." *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398, 402, 82 USPQ2d 1385, 1397 (2007). Thus a reference in a field different from that of applicant's endeavor may be reasonably pertinent if it is one which, because of the matter with which it deals, logically would have commended itself to an inventor's attention in considering his or her invention as a whole.

Hence, with regard to the present invention and Hasegawa et al, the Examiner will appreciate that Hasegawa et al which, because of the matter with which it deals, logically would **not** have commended itself to an inventor's attention in considering his problem of providing a system for recording and playback of television signals from a plurality of television channels in a computer-based controlling central unit, connectible to a telecommunication network.

Moreover, Claim 1 defines that the instruction unit connected to the controlling central unit is configured to instruct the controlling central unit to select and store the television signals in the digital format on the storage unit based on the recording instructions including information on a television channel specified by the channel number and the recording timing. Yet, in Hasegawa et al, as shown in Figure 1, each storage devices 20-24 has a memory which stores reservation requests and data streams of the broadcast programs. See numbered paragraphs [0054] and [0055]. Yet, these storage devices 20-24 do not constitute an instruction unit connected to and instructing a controlling central unit. Rather, in Hasegawa et al, the element most resembling an instruction unit is element 300 the control device 30.

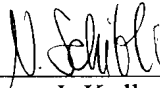
Hence, a combination of Jones and Hasegawa et al, even if proper, would still not meet all the claim elements.

Accordingly, the 35 U.S.C. § 103(a) rejections should be removed and Claims 1-13 passed to allowance.

Consequently, in view of the above discussions, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-13 is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Attorney of Record
Registration No. 34,648

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Nikolaus P. Schibli
Registration No. 56,994